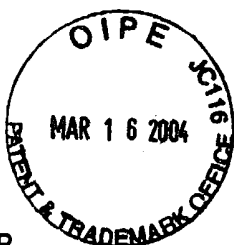


41
Inventor(s): Steven L. WECHSLER et al.
Appl. No.: 10 | 046,491
Series Code ↑ | Serial No. ↑

Filed: October 29, 2001
Mail Stop Amendment
Hon. Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450



Group Art Unit 1632
Examiner: Anne Marie Sabrina Wehbe
Atty. Dkt. 307252 | Wechsler, et al.
C-M | Client Ref

Appl. Title: **A HERPES SIMPLEX VIRUS TYPE 1 (HSV-1)-DERIVED VECTOR FOR SELECTIVELY INHIBITING MALIGNANT CELLS AND FOR EXPRESSING DESIRED TRAITS IN MALIGNANT AND NON-MALIGNANT MAMMALIAN CELLS (As Amended)**

Sir:

REPLY/AMENDMENT/LETTER

Date: March 12, 2004

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim A. <input type="checkbox"/> NOT made B. <input type="checkbox"/> Withdrawn C. <input type="checkbox"/> made herewith D. <input checked="" type="checkbox"/> made previously		For B & C See Required Separate Paper (Pat-256)		Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims		26	**minus	31	0	x \$18/\$9 =	+ \$0	1202/2202	
3. Independent Claims		4	***minus	3	1	x \$86/\$43 =	+ \$43	1201/2201	
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)..... add						+ \$290/\$145 =	+ \$0	1203/2203	
5. Original due Date: December 25, 2003		<input type="checkbox"/> NONE							
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)	\$110/\$55 =					1251/2251	
		(2 mos)	\$420/\$210 =			+ \$475		1252/2252	
		(3 mos)	\$950/\$475 =					1253/2253	
		(4 mos)	\$1,480/\$740 =					1254/2254	
		(5 mos)	\$2,010/\$1,005 =					1255/2255	
7. Enter any previous extension fee paid since above original due date and subtract						- \$0			
8.						Extension Fee	+ \$475		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee						+ \$110/\$55	+ \$0	1814/2814	
10. If IDS attached requires Official Fee under Rule 97 (c), add						+ \$180	+ \$0	1806	
or if Rule 97(d) Request add						+ \$180	+ \$0	1806	
11. After-Final Request Fee per rules 129(a) and 17(r)						+ \$770/385	+ \$0	1809/2809	
12. No. of additional inventions for examination per Rule 129(b).....						x \$770/385 ea	+ \$0	1810/2810	
13. Request for Continued Examination (RCE)						+ \$770/385	+ \$0	1801/2801	
14. Petition fee for							+ \$0		
15.						TOTAL FEE =	\$518		
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".						PLEASE CHARGE OUR DEP. ACCT			
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.									
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.									

Our Deposit Account No. 16-1805)
(Our Order No. 081476 | 307252
C# | M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
Intellectual Property Group

725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5406
Tel: (213) 488-7100

By Atty: Seth D. Levy

Sig:

Reg. No. 44,869

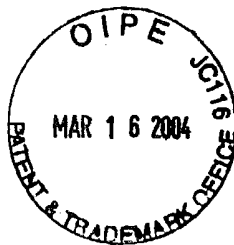
Fax: (213) 629-1033
Tel: (213) 488-7131

Atty/Sec: SDL/SBK

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

Inventor(s): Steven L. WECHSLER et al.
Appln. No.: 10 046,491
Series Code ↑ Serial No. ↑

Filed: October 29, 2001
Mail Stop Amendment
Hon. Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450



Group Art Unit 1632
Examiner: Anne Marie Sabrina Wehbe
Atty. Dkt. 307252 Wechsler et al.
C-M Client Ref
Appln. Title: **A HERPES SIMPLEX VIRUS TYPE 1 (HSV-1)-DERIVED VECTOR FOR SELECTIVELY INHIBITING MALIGNANT CELLS AND FOR EXPRESSING DESIRED TRAITS IN MALIGNANT AND NON-MALIGNANT MAMMALIAN CELLS (As Amended)**

Sir:

REPLY/AMENDMENT/LETTER

Date: March 12, 2004

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim A. <input type="checkbox"/> NOT made B. <input type="checkbox"/> Withdrawn C. <input type="checkbox"/> made herewith D. <input checked="" type="checkbox"/> made previously For B & C See Required Separate Paper (Pat-256)		Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims		26	**minus 31	0	x \$18/\$9 =	+ \$0	1202/2202
3. Independent Claims		4	***minus 3	1	x \$86/\$43 =	+ \$43	1201/2201
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) add					+ \$290/\$145 =	+ \$0	1203/2203
5. Original due Date: December 25, 2003		<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)	\$110/\$55 =		+ \$475		1251/2251
		(2 mos)	\$420/\$210 =				1252/2252
		(3 mos)	\$950/\$475 =				1253/2253
		(4 mos)	\$1,480/\$740 =				1254/2254
		(5 mos)	\$2,010/\$1,005 =				1255/2255
7. Enter any previous extension fee paid since above original due date and subtract					- \$0		
8.					Extension Fee	+ \$475	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee					+ \$110/\$55	+ \$0	1814/2814
10. If IDS attached requires Official Fee under Rule 97 (c), add					+ \$180	+ \$0	1806
or if Rule 97(d) Request add					+ \$180		1806
11. After-Final Request Fee per rules 129(a) and 17(r)					+ \$770/385	+ \$0	1809/2809
12. No. of additional inventions for examination per Rule 129(b).....					x \$770/385 ea	+ \$0	1810/2810
13. Request for Continued Examination (RCE)					+ \$770/385	+ \$0	1801/2801
14. Petition fee for						+ \$0	
15.					TOTAL FEE =	\$518	
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".					PLEASE CHARGE OUR DEP. ACCT		
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.							
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.							

Our Deposit Account No. 16-1805)
(Our Order No. 081476 307252
C# M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
Intellectual Property Group

725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5406
Tel: (213) 488-7100

By Atty: Seth D. Levy

Sig:

Reg. No. 44,869

Fax: (213) 629-1033
Tel: (213) 488-7131

Atty/Sec: SDL/SBK

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



PATENT
81476-307252

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re DIVISIONAL application of:) Art Unit: 1632
)
Steven L. WECHSLER *et al.*) Examiner: Anne Marie Sabrina Wehbe
)
Serial No: 10/046,491)
)
Filed: October 29, 2001)
)
For: *A HERPES SIMPLEX VIRUS TYPE 1*)
(*HSV-1*)-DERIVED VECTOR FOR SELECTIVELY)
INHIBITING MALIGNANT CELLS AND FOR)
EXPRESSING DESIRED TRAITS IN MALIGNANT)
AND NON-MALIGNANT MAMMALIAN CELLS)
(*As Amended*))

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

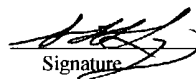
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on

March 12, 2004

Date of Deposit

Seth D. Levy, Reg. No. 44,869

Name


Signature

3/12/2004

Date

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated September 25, 2003, in connection with the above-referenced application, this response to which is being timely filed by virtue of the enclosed petition for a three-month extension of time and the accompanying fee, please enter and consider the following amendment and remarks.

03/17/2004 WABRHAM1 00000099 10046491

01 FC:2201

43.00 0P